

## 1 SENATE JOINT RESOLUTION NO. 28

2 INTRODUCED BY D. EMRICH, J. HINKLE, T. MANZELLA, K. REGIER, S. HINEBAUCH, B. USHER, M.

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5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
6 MONTANA REQUESTING AN INTERIM STUDY OF WHETHER THE ADOPTION OF THE 16TH  
7 AMENDMENT TO THE U.S. CONSTITUTION PROVIDING FOR AN INCOME TAX WAS VALID; AND  
8 REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 69TH LEGISLATURE.  
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10 WHEREAS, the 16th amendment to the U.S. Constitution allows Congress to collect an income tax;  
11 and

12 WHEREAS, the 16th amendment to the U.S. Constitution was ratified on February 3, 1913; and

13 WHEREAS, there are questions about the ratification process of the 16th amendment to the U.S.  
14 Constitution published in "The Law that Never Was"; and

15 WHEREAS, states may have changed the wording of the 16th amendment before approving the  
16 amendment; and

17 WHEREAS, states may have violated provisions in their state constitutions during the amendment  
18 adoption process; and

19 WHEREAS, states may not have provided the federal government with official copies of the approved  
20 amendment.  
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22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF  
23 THE STATE OF MONTANA:

24 That the Legislative Council be requested to designate an appropriate interim committee or statutory  
25 committee, pursuant to section 5-5-217, MCA, to review the adoption process of the 16th amendment to the  
26 U.S. Constitution.

27 BE IT FURTHER RESOLVED, that the committee determine whether the adoption of the 16th  
28 amendment was valid.

